

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND

IN RE: KIM SANG CHAO
NARANNY YIN

Chapter 7
BK No. 13-10346

MOTION TO DISMISS

Thomas P. Quinn, Trustee, moves to dismiss the Chapter 7 Bankruptcy Petition filed by the Debtors, for cause pursuant to 11 U.S.C. §707(a)(1). As grounds, the Trustee states as follows:

1. The Debtors filed a Chapter 7 Bankruptcy Petition with this Court on February 13, 2013.
2. Thomas P. Quinn is the Chapter 7 Trustee appointed in this case.
3. The Debtors' initial Section 341 Meeting of Creditors was scheduled for May 14, 2013. This Meeting was scheduled after the Debtors' filed a Motion to Reopen and filed missing documents.
4. Neither the Debtor nor Debtor's Counsel appeared at the Meeting of Creditors. No excuse for the failure to appear was been made, nor was any notification provided to the Trustee prior to the May 14, 2013 Meeting of Creditors. Further, the Trustee was never provided with a copy of the Debtors' tax return as required under 11 U.S.C. §521(e)(2)(A)(i).
6. The Debtor's failure to appear at the continued Section 341 Meeting or comply with their duties under Section 521 constitutes unreasonable delay that is prejudicial to creditors and grounds for dismissal under 11 U.S.C. §707a)(1).

WHEREFORE, for all of the above reasons, the Trustee moves that the Debtor's Petition be dismissed for cause and for such further relief as is just.

June 11, 2013

/s/Thomas P. Quinn
Thomas P. Quinn, Trustee - #4780
McLaughlin & Quinn, LLC
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NOTICE

Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if served by mail, any party against whom such paper has been served, or any other party who objects to the relief sought, shall serve and file an objection or other appropriate response to said paper with the Bankruptcy Court Clerk's Office, 380 Westminster Street, 6th Floor, Providence, RI 02903, (401) 626-3100. If no objection or other response is timely filed, the paper will be deemed unopposed and will be granted unless; (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the Court, the interest of justice requires otherwise.

CERTIFICATE OF SERVICE

I hereby certify that on June 11, 2013, I electronically filed the **MOTION TO DISMISS** with the Clerk of the Bankruptcy Court for the District of Rhode Island using the CM/ECF System. The following participants have received notice electronically:

- **Gary L. Donahue** gary.l.donahue@usdoj.gov
- **Todd Dion** toddsdion@msn.com
- **Gilbert B. Weisman** notices@becket-lee.com

The following participants have been notified via first class mail, postage prepaid, on the attached Mailing Labels by Case.

/s/ Patrice A. Moone
Patrice A. Moone